

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Change of use from dwelling house (Use Class 1) to a house in multiple occupation (Use Class 6). Demolish extension and chimney and erect single storey extension to south-east (rear) elevation.

LOCATION: Jarstinet House, St. John's Road, St. Peter Port.

APPLICANT: Mr N Reid & Mr I Le Sauvage

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 28/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Ltd: 21-207-04A, 05A & 06A

Application Ref: FULL/2021/2596

Property Ref: A109620000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.No part of the building hereby permitted shall be occupied until a scheme showing the provision to be made for the parking of cycles within the rear garden, under cover and secure, has been submitted to and agreed in writing by the Authority, and no part of the building hereby permitted shall be occupied until the agreed scheme has been fully implemented. The provision for cycles shall thereafter not be used for any other purpose.

Reason - To encourage the use of bicycles as an alternative to the car.

5.Notwithstanding the details submitted, no permission is sought nor conferred for any solar panels.

Reason - To define the permission for the avoidance of any doubt.

Expiry Date: This permission will cease to have effect on 27/04/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to

the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2021/2596
Property Ref: A109620000
Valid date: 14/12/2021
Location: Jarstinet House St. John's Road St. Peter Port Guernsey GY1 1WZ
Proposal: Change of use from dwelling house (Use Class 1) to a house in multiple occupation (Use Class 6). Demolish extension and chimney and erect single storey extension to south-east (rear) elevation.
Applicant: Mr N Reid & Mr I Le Sauvage

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

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OFFICER'S REPORT

Site Description:

The site consists of a traditional end of terrace 2½ storey dwelling which forms the corner between the junction of Les Amballes and St John's Road. The site is within the St Peter Port Conservation Area and Main Centre Outer Area.

Relevant History:

28/09/2021 – PREA/2021/1922 – Pre-application regarding extend, alter and change the use of a dwelling to a house in multiple occupancy

Existing Use(s):

Residential use class 1

Brief Description of Development:

Planning permission is requested to change the use from a dwelling house (Residential Use Class 1) to a house in multiple occupation (Residential Use Class 6). The proposal includes the demolition of a single storey rear extension and the demolition of a chimney, erect an enlarged single storey flat roof extension to the rear (south-east) elevation, replace roof and install replacement white uPVC fenestration.

The application as originally submitted indicated solar panels to be installed to the front (north-west) and side (south-east) elevations. The agent has subsequently requested that the solar panels are omitted from the application.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Policy MC2: Housing in Main Centres and Main Centre Outer Areas

Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP6: Transport infrastructure and support facilities

Policy IP7: Private and Communal Car Parking

Representations:

No

Consultations:

25/01/2022, The Office of Environmental Health and Pollution Regulation

"I have reviewed the additional information supplied for the proposed plans for the above mentioned property to be converted into multiple occupancy accommodation and I do not wish to raise any objections to the proposals".

22/12/2021, The Office of Environmental Health and Pollution Regulation

"I have reviewed the proposed plans for the above mentioned property to be converted into multiple occupancy accommodation which were received by email on 16th December 2021.

There is currently insufficient information for me to be able to comment on these plans. I would welcome the following information:

- The proposed number of occupants
- Details of the kitchen facilities
- Commitment to achieving the attached HMO standards.

Once I have received the above information I would be happy to review this accordingly".

Summary of Issues:

The main issues in deciding this application are:

1. Whether the principle of the housing conversion is acceptable.
2. Design and impact of the development on the character and appearance of the Conservation Area.
3. The impact of the development on the amenity of people living in the area.

4. Whether the development would result in a satisfactory living environment for the occupiers of the dwelling.
5. Parking.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Whether the principle of the housing conversion is acceptable

As set out in Policy MC2, the majority of the Island's housing supply is to be provided within and around the Main Centres. The site is located in the St Peter Port Main Centre Outer Area and does not form Important Open Land. As such Policy MC2 supports the development of the site for housing, including the change of use of a dwelling to a housing in multiple occupation, where it accords with all other relevant policies of the Island Development Plan.

Design and impact of the development on the character and appearance of the Conservation Area

The traditional design and detailing of the existing building contributes to the character and appearance of the Conservation Area. The alterations to the building, including the loss of the chimney and the loss of detailing such as the Fleur de Lys will erode the character of the building. However, the harm caused to the character and appearance of the building would not be sufficient to have a significant adverse effect on the character and appearance of the Conservation Area as a whole.

The enlarged single storey flat roof extension to the rear would be partially visible from Les Amballes to the south-east. The extension would be viewed in context with the existing property and neighbouring properties and would not form a prominent feature from public view.

A bicycle storage area is indicated within the frontage of the property to the north-east. However, there are concerns that the creation of a covered bicycle store in this location would detract from the character and appearance of the area. The agent has subsequently agreed that a secure covered bicycle store could be created within the rear garden. This can be dealt with by condition.

Overall the alterations and extension to the building would conserve the character and appearance of the Conservation Area, in accordance with Policies GP4 and GP8.

The impact of the development on the amenity of people living in the area

The enlarged single storey rear extension will increase the mass and height of the built form along the neighbouring boundaries. However, due to its single storey

nature and the layout of neighbouring properties, the extension is unlikely to have any significant adverse effects on the amenities of neighbouring residents.

Whether the development would result in a satisfactory living environment for the occupiers of the dwelling

The health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced, but not override, the need to create acceptable living environments. Although there are no rigid standards for amenity provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

The proposal would change the existing 5 bedroom dwelling into a 7 bedroom house in multiple occupation for up to 9 people.

Following the submission of additional information, including details of the kitchen layout, The Office of Environmental Health and Pollution Regulation raise no objections to the proposed change of use and it is noted that a Building Control License has been issued for the works (FP/2022/0062).

The footprint of the rear extension would result in limited outdoor space for the size of the property and the number of occupants, which would be further reduced by the need to provide covered and secure bicycle storage. However, considering it's town centre location, its proximity to other public amenity space, such as at Beau Sejour, and the outlook of the property over the graveyard to the north-west, the limited outdoor space could be justified in this instance. Overall, although there are some deficiencies, the proposal will provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

Parking

No on-site parking is provided but given the nature of the development and the proximity of the site to the shops and services of the St Peter Port town centre, there would no requirement to provide on-site parking in this instance. Secure and covered bicycle parking can be provided within the rear garden. Taking into account the potential number of occupants it is recommended that provision is made for 4 bicycles, this can be dealt with by condition. Provided that adequate secure and covered bicycle storage is provided, the proposal would accord with Policy IP7 and the Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 28/04/2022